

## THE MEDICAL JURISPRUDENCE SOCIETY OF PHILADELPHIA.

Regular stated meeting, November 11, 1884, the Vice-President, GEORGE W. BIDDLE, Esq. in the chair.

Dr. CHARLES K. MILLS read a paper on "The Case of Joseph Taylor, an Insane Prisoner Convicted of Murder in the First Degree" (see page 589).

Dr. H. C. WOOD also read a paper on "The Absurdities of the Law as Illustrated in the Taylor Case" (see page 603).

### DISCUSSION.

District-Attorney GEORGE S. GRAHAM said that one cause of the difference between the legal and the medical professions was that one looked at insanity from a legal and the other from a medical, point of view. He trusted that the time would come when commissions would be authorized to deal with the question of mental disease and responsibility. It was not the absurdities of the law that called for comment, but the positions taken by medical experts when they come into court. Even experts might differ. The difference between insane delusions and delusions in a sane person was too fine a metaphysical distinction. The view taken by the jury in the Taylor case was that his delusions were satisfactorily accounted for. There was medicine given him and it had certain effects. So long as the effects were present, the prisoner continued to believe that the medicine was given him. The District-Attorney promised that at some time he would present a paper "upon the absurdities of the insane expert—or at least of the expert upon insanity." When a man had imbued

his hands in blood he would endeavor to convict that man if there were any doubts as to his mental condition. The doctors might analyze him afterward, chemically and anatomically. In the Taylor case there was sufficient doubt to warrant pressing for a conviction.

Dr. ROBINSON, the Penitentiary physician, said that he had had experience with at least fifty cases of insanity, and that he felt perfectly competent to testify. The class of criminals was a peculiar one, and required special study. "Only to-day," he said, "Taylor acknowledged to me that he was mistaken about the medicine in his food and drink. No one who held the conversation he had had with him to-day would call him insane. Since the trial he has made no complaint. He had constantly had experience with simulated delusions. Since the trial Taylor had said he had made a — fool of himself, and that his counsel would have been wiser to try to save his neck by a plea of self-defence, as no one had seen him kill Doran. "But, I believe I ought to hang," said he. "Let them hang me."

E. COOPER SHAPLEY, one of Taylor's counsel, remarked that he thought it not wise to discuss a question yet to be argued. He asked Dr. Robinson whether he thought Taylor sane at the time the experts examined him, and Dr. Robinson replied: "I was not satisfied that he was sane at that time."

HAMPTON L. CARSON, Dr. S. SOLIS-COHEN, and Dr. JOHN H. PACKARD made brief remarks, and GEORGE W. BIDDLE, the President of the Society, expressed his belief that the Taylor case had been dealt with correctly. Not every delusion that a man might possess made him unfit to be treated as a criminal. Some of the brightest minds had been subject to delusions or illusions. The great Paschal, at one time, believed that his body was made of glass. Where there was simply a delusion, which did not lead irresistibly to the commission of a crime, then a man was criminally responsible. Was the man so unsound that he was unable to distinguish the moral bearings of the question? Was he so irresistibly impelled to the deed that he could not control himself, even from an act against his will and his

perception? Such a case never would be pressed to conviction before a court of justice. Probably this was going further than the English law. There was not an irreconcilable difference between law and medical science.

At the close of the discussion Drs. MILLS and WOOD briefly reviewed and replied to the remarks made, and reasserted their belief in Taylor's insanity.